

SC NAACP v. Alexander,
D.S.C. Case No. 3:21-cv-03302-MGL-TJH-RMG

Exhibit 57

Page 1

1 IN THE UNITED STATES DISTRICT COURT.
2 FOR THE DISTRICT OF SOUTH CAROLINA
3 COLUMBIA DIVISION

4 -----x
5 THE SOUTH CAROLINA STATE CONFERENCE
6 OF THE NAACP

7 and

8 TAIWAN SCOTT, ON BEHALF OF HIMSELF Case No.
9 AND ALL OTHER SIMILARLY SITUATED 3:21-CV-03302
10 PERSONS, JMC-TJH-RMG

11 Plaintiffs,

12 Vs.

13 THOMAS C. ALEXANDER, IN HIS OFFICIAL
14 CAPACITY AS PRESIDENT OF THE SENATE;
15 LUKE A. RANKIN, IN HIS OFFICIAL CAPACITY
16 AS CHAIRMAN OF THE SENATE JUDICIARY
17 COMMITTEE; MURRELL SMITH, IN HIS OFFICIAL
18 CAPACITY AS SPEAKER OF THE HOUSE OF
19 REPRESENTATIVES; CHRIS MURPHY, IN HIS
20 OFFICIAL CAPACITY AS CHAIRMAN OF THE
21 HOUSE OF REPRESENTATIVES JUDICIARY
22 COMMITTEE; WALLACE H. JORDAN, IN HIS
23 OFFICIAL CAPACITY AS CHAIRMAN OF THE HOUSE
24 OF REPRESENTATIVES ELECTIONS LAW
25 SUBCOMMITTEE; HOWARD KNAPP, IN HIS
 OFFICIAL CAPACITY AS INTERIM EXECUTIVE
 DIRECTOR OF THE SOUTH CAROLINA STATE
 ELECTION COMMISSION; JOHN WELLS, JOANNE
 DAY, CLIFFORD J. EDLER, LINDA MCCALL,
 AND SCOTT MOSELEY, IN THEIR OFFICIAL
 CAPACITIES AS MEMBERS OF THE SOUTH
 CAROLINA STATE ELECTION COMMISSION,
 Defendants.

-----x

22 STENOGRAPHIC REMOTE VIRTUAL DEPOSITION
23 BREEDEN JOHN
24 Tuesday, August 9, 2022

1 JOHN

2 office had created?

3 A. No. I wasn't sure who
4 created it. Like I said, I got
5 there a little bit late so I didn't
6 know if they had talked about that
7 before I got there or not, but I
8 didn't ask who created it.

9 Q. Did you understand any of
10 the -- Mr. Tresvant? Is that right?

11 A. Yes, Tresvant.

12 Q. Did you understand any of
13 the suggestions to be requests on
14 behalf of Congressman Clyburn or
15 more informal discussions about the
16 district?

17 A. It was more informal
18 discussions less so not requests
19 just kind of maybe a statement of
20 preferences, you know, it would be
21 nice if X area was included but it
22 wasn't a specific request.

23 Q. Were you involved at all in
24 any follow-up with anyone else from
25 Representative Clyburn's office

1 JOHN

2 after this meeting?

3 A. No.

4 Q. Did you have any other
5 conversations or become aware of
6 conversations about any other
7 suggestions or thoughts from
8 Representative Clyburn's office?

9 A. No, not that I recall.

10 Q. Were you involved in any
11 discussions with anyone from
12 Congressman Wilson's office?

13 A. I was in the room while
14 Charlie Terreni spoke with, I think
15 it was directly with Congressman
16 Wilson or it could have been a
17 staffer. So I guess I overheard a
18 conversation but I wasn't really
19 involved.

20 Q. Was that in -- I assume it
21 was -- was that in Senator Rankin's
22 office too?

23 A. Yes, it was.

24 Q. Do you recall how long that
25 meeting was?

1 JOHN

2 A. That phone conversation was
3 fairly short. Five minutes at the
4 most I would think.

5 Q. You mentioned you weren't
6 part of the conversation. Did you
7 and Mr. Terreni have any
8 conversation after it with any
9 feedback or debrief?

10 A. We just kind of talked
11 about what they discussed on the
12 phone and it was -- again it was
13 Mr. Terreni, Fiffick, Will Roberts,
14 myself. We were working -- we were
15 just working on maps and I don't
16 remember what spurred the
17 conversation but he called the
18 Congressman. He called whoever it
19 was he spoke with, whether it was
20 the Congressman or a staffer I don't
21 recall exactly but they just talked
22 about -- about the districts. I
23 don't recall -- I don't think that
24 -- I know it was prior to the Senate
25 releasing their staff congressional

1 JOHN

2 plan and I don't think that the
3 House had put anything out yet. So
4 I don't exactly remember what the
5 impetus was for the conversation.

6 Q. Do you recall any feedback
7 from either Congressman Wilson or
8 his office on how CD 2 should be
9 drawn?

10 A. Yes. I remember their
11 express interest in Fort Jackson
12 being included in the 2nd. That was
13 really the only specific area I
14 recall.

15 Q. Were you involved in any
16 follow-up after that initial
17 meeting?

18 A. NO.

19 Q. Did you at all become aware
20 of any additional feedback from
21 Congressman Wilson's office on any
22 proposed maps by the Senate
23 subcommittee?

24 A. No, not that I recall.

25 O. Were you at all involved in

1 JOHN

2 any discussions with Congresswoman
3 Mace's office about CD 1?

4 A. No.

5 Q. Do you recall receiving any
6 feedback from other members of the
7 Senate staff regarding input from
8 Congresswoman Mace's office?

9 A. No, I don't.

10 Q. What about any feedback or
11 conversations with Congressman
12 Rice's office?

13 A. No.

19 A. None that I spoke to.

20 Q. Who else were you aware of
21 that was -- had conversations?

22 A. Andy Fiffick spoke with
23 Congressman Timmons at one point.

Q. Anyone else?

A. That's all I remember.

1 JOHN

2 Q. Did you receive any
3 instructions for how you should
4 assess or evaluate any of the
5 feedback you received from members
6 of Congress in drawing maps?

7 A. Not particularly.

8 Q. Would you consider
9 suggestions they had of equal weight
10 to members of the public?

11 A. Yes, for the most part.

12 The feedback that we got from them I
13 would say yes for the most part.

14 Q. Were there any political
15 organizations that you had
16 conversations with?

17 A. No.

18 Q. Anyone obvious working on
19 behalf of any organizations?

20 A. No.

22 A. No.

23 Q. Lobbyists?

24 A. I did speak with Dr. John
25 Ruoff, R-U-O-F-F. He was working

1 JOHN

2 A. Yes.

3 Q. Did you prepare any
4 materials for this one?

5 A. Same notebooks -- I mean
6 same map and reports that were
7 always going in the notebooks. I
8 may have talked with Will about his
9 overview that the notes that he was
10 putting together to give his
11 overview and looked at that, you
12 know, with him a little bit in our
13 shared office here but I didn't
14 really prepare anything for my own
15 use.

16 Q. And so do you recall any
17 common themes that were raised or
18 that you identified that were worth
19 following up with after the hearing?

20 A. As far as the testimony
21 that we received on it? Yeah, I
22 was, honestly I was a little
23 disappointed that it got such a
24 harsh reception. I kind of felt
25 like it was a pretty good plan and

1 JOHN

2 you know, it was met with a lot of
3 strong criticism from different
4 groups. And, you know what, it's
5 certainly understandable. But it
6 was -- the reception was not what I
7 was expecting, you know.

8 Q. And what did you understand
9 some of the criticisms to be
10 specifically?

11 A. It was stated that it was,
12 you know, heavily racially
13 motivated. Could only be explained
14 by race. It was drawn by partisan
15 hacks in Washington, D.C. and, you
16 know, just how unfair it was and I
17 was surprised to hear some of that.

18 Q. Was some of the reference
19 you mentioned about, I'll use your
20 term, partisan hacks, was that
21 between former Congressman
22 Cunningham and Senator Harpootlian?

23 A. Yes, it was.

24 Q. Do you recall members of
25 the public at all testifying and